



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Color Country District – St. George Field Office
345 East Riverside Drive
St. George, UT 84790
http://www.ut.blm.gov/stgeorge_fo/



MAR 31 2014

DIV. OF OIL, GAS & MINING

IN REPLY REFER TO:
3809: UTU-90441
UTC030

Mr. Russell Feller
A & R Leasing, L.C.
688 E Chad Ranch Road
Veyo, UT 84782

Dear Mr. Feller:

On March 4, 2014, this office received your notice, submitted under 43 CFR 3809.1-3, to conduct mining operations on your TJKSJ unpatented placer claims, located near Dammeron Valley, Washington County, Utah. The notice proposes surface mining operations, of five acres or less, on limestone deposits outcropping on the claims. The proposed markets for the mined limestone include an additive for agricultural products, sheetrock and cement powder.

As the St. George Field Office currently lacks a geologist, on March 10th you were contacted by Ed Ginouves of the Cedar City Field Office in initial response to the submission. Mr. Ginouves informed you that the proposed mining activity was in excess of that allowed by the 43 CFR 3809 regulations under a notice and that a plan of operations would be required. As a plan of operations has different regulatory requirements than notices, it will be necessary for you to re-submit your proposal under the applicable regulations given at 43 CFR 3809.401.

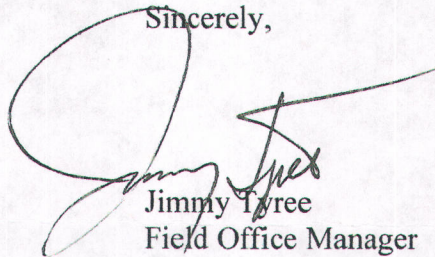
The material to be extracted, limestone, is only considered subject to location and extraction under the mining laws if certain requirements are met. Mr. Ginouves discussed with you BLM's regulatory mandate, though 43 CFR 3809.101, to prepare a mineral examination report to evaluate the locatability of the limestone. BLM's general guidance for this evaluation is given at 43 CFR 3830.12. Mr. Ginouves informs me that you are in the process of having the limestone in the plan area analyzed to demonstrate that it meets those locatability requirements for limestone, given at 43 CFR 3830.12(d). The evaluation process is carried out by a mineral examiner through the BLM Utah State Office, and it will be necessary to share the analysis results, as well as any other data you feel support your belief the limestone is locatable, with the assigned examiner.

Finally, Mr. Ginouves shared with you the challenges posed by the lack of geologist at this office, one of the unfortunate local impacts of the overall sequestration of the Federal spending

budget. For your plan proposal, I believe the principal challenge will be the timely preparation of the necessary environmental assessment (EA) for the plan. At this time, I regret that I can offer no solution to this delay other than to suggest that you engage the services of qualified 3rd party to prepare the EA.

Please feel free to contact myself, at 435-688-3201, or Mr. Ginouves, at 435-865-3040, should you have any questions or wish to discuss the matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Tree", is written over the typed name and title. The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping horizontal stroke at the end.

Jimmy Tree
Field Office Manager

cc: Lynn Kunzler, Reclamation Specialist, DOGM, (TJKSJ Limestone Mine.)